

# West BYRON Urban Release Area

Newsletter No. 2 | October 2010

## Welcome

This is the second in a series of updates to provide you with information about the planning activities being undertaken for the West Byron Urban Release Area, a 108 hectare site located 2.5 kilometres west of Byron Bay. We are in the final phases of undertaking the State Significant Site Study (SSS), which is only the first stage of planning for the site.

Most of the land is owned by the Byron Bay West Land Owners Association, a group that includes local people that have owned their land for over 20 years, and some landowner developers who live on the NSW Central Coast and Melbourne.

The land has been identified as a potential urban land release area for about 25 years. The site is currently zoned 1(d) Investigation Zone under the Byron Local Environmental Plan 1988.

The study is a requirement of the Department of Planning, NSW in order for the site to be registered as a State Significant Site.

We encourage you to keep informed about the site through our website and participate in the consultation process.

**Byron Bay West Landowners Association (BBWLA)**

### THE PLANNING STAGES

#### STAGE 1 – WE ARE HERE (2010)

##### STATE SIGNIFICANT STUDY PROCESS –

Identifies land uses (zones) and proposes development controls – for exempt and complying development and building height limits.

Preliminary Development Control Plan (DCP)

#### STAGE 2 (approx. 2011-12)

Master Plan and detailed Development Control Plan – will include development density, architectural guidelines, sustainability etc.

Section 94 contributions plan

#### STAGE 3 (approx. 2013-14)

Development Applications lodged for subdivisions and buildings.

## The key issues raised by the community

As part of the consultation process we received approximately 30 feedback forms/letters from individual residents and community groups. We have also consulted with Council and various State government departments.

The majority of feedback received from the community was supportive of development that enhanced the current site through rezoning with specific references made to ensuring that the proposed development is sympathetic with the aspirations of the community in terms of sustainability, from a social and environmental perspective. Details of the consultation process and the outputs will be provided in the Consultation Report to be submitted as part of the Study.

The key concerns and issues raised were:

- » **Traffic** – concerns were raised about an increase in traffic owing to growth and the subsequent management of traffic given that there are existing traffic management issues that remain unresolved.
- » **Amenities** – ensuring access to adequate open space and other natural amenities.
- » **Sustainable development** – the design of buildings needs to be sympathetic to sustainability principles and not be driven by maximising urban density. The design should include pedestrian and cycle paths.
- » **Flora, fauna and flooding** – the desire is for an environmentally sensitive development, with a balance between built and natural environments. The community was also concerned about flooding and flood management.

These issues have been considered in this stage of the SSS planning process. However, many of these issues will need to be considered again as part of the master planning process, which will provide greater detail of the look and feel of the site.

*“We want to see sustainable development too”*

To achieve urban sustainability, we believe West Byron needs to be developed as a highly walkable community with diverse types of housing for diverse community needs.

At this stage it is clear that a variety of housing types are needed, including terrace houses on small lots, secondary dwellings (granny flats), dual occupancies, apartment buildings and conventional houses. These need to be both climatically responsive and provide reference to the existing character elements of the area. Orientation and design of buildings needs to take advantage of solar access and natural breezes, and the use of verandas, balconies, screened outdoor areas (for mosquitoes), awnings, outdoor terraces and the like. This diversity of built form will influence the layout of streets and lanes.

The design detail cannot be resolved in the current SSS process (which is primarily about rezoning the land). The current process is about establishing the right zones and setting the framework for future master planning and development control planning.

The SSS study recommends conservation zoning, the preliminary DCP will areas for embellishment planting and compensatory habitat. We are proposing variable buffers

that are revegetated based on topography, flooding and the current vegetation typology. The existing drainage lines will be protected and will be incorporated in the stormwater drainage system.

As part of our commitment to a sustainable development, we are striving to reduce traffic from West Byron by designing a self-sufficient village that allows people to walk or cycle to their local shops and employment. We propose to include facilities, including employment areas and active open space.

**“Traffic is already a problem”**

The Preliminary DCP recommends two major roundabouts which directly access the two small centres at the western and eastern ends of the site. One will be located at Bayshore Drive and another roundabout further east, near Belongil Fields.

The traffic modelling for the project indicates that both

town centre bypass options – the mini-bypass and the longer bypass near Mitre 10 – are already needed. We acknowledge that Council needs to lead the necessary planning for current and future traffic, and the West

**“What about flooding”**

Byron Project will contribute to the proposed works through developer contributions on a per-lot basis.

The flood consultants for West Byron are regarded as leaders in flood management.

The West Byron site is subject to flooding around the eastern, southern and western edges.

Flood modelling indicates that some of the flood prone areas can be filled with less than 10mm impact on flood levels, and with no impact on the town centre. High hazard flood areas will be avoided and will remain natural.

## The state significant site study process

### PHASE 1: APPLICATION TO THE DEPARTMENT OF PLANNING.

In September 2009, the NSW Minister for Planning declared the land as a potential State Significant Site. This means the land is subject to a State Significant Site Study that will identify zoning options and other development controls.

### PHASE 2: INVESTIGATION PHASE.

Environmental and technical assessments were undertaken as well as consultation with stakeholders (community, Council and State government departments).

The expert environmental and other technical assessments covered acid sulfate soils, Sunnybrand odour, Aboriginal archaeology, bushfire, civil engineering, economics, flooding, flora and fauna, marine ecology, mosquitoes, social impact, traffic, traffic noise, visual impact, and water quality. Detailed reports will be available in Phase 6.

### PHASE 3: DESIGN OF ZONING OPTIONS AND DEVELOPMENT CONTROLS FOR THE SITE.

An Enquiry by Design (EbD) Workshop was held to investigate a range of design and planning options. The EbD Workshop brought together key planning, environmental and infrastructure consultants as well as land owners in a collaborative environment to exchange ideas and to establish principles and guidelines for development. The workshop led participants through a multi-disciplinary assessment of site constraints, social and economic factors and opportunities. This was followed by an urban design process that ranged from the regional perspective (the big picture) to the local scale detailing land use, access and development form.

### PHASE 4: REFINEMENT OF PROPOSED LAND USE PLAN THROUGH FEEDBACK FROM STAKEHOLDERS.

Feedback is being sought from the community and other stakeholders. This may lead to refinement of the proposed Land Use Plan, with its proposed zones before it is submitted to the Department of Planning. All feedback received in this phase will also be referred on to the Department of Planning for their assessment.

**WE ARE HERE**

### PHASE 5: STUDY IS SUBMITTED TO THE DEPARTMENT OF PLANNING FOR ASSESSMENT.

The study will include all the environmental and technical assessment reports, the proposed Land Use Plan and the preliminary Development Control Plan (DCP).

### PHASE 6: EXHIBITION OF DRAFT REZONING PROPOSAL FOR WEST BYRON BY DEPARTMENT OF PLANNING.

Exhibition by the Department of Planning, inviting submissions from the community and other stakeholders. This will be followed by an assessment of submissions by the Department of Planning and amendments to the Plan if required.

### PHASE 7: DETERMINATION AND LISTING IN SCHEDULE 3 OF SEPP MAJOR PROJECTS AS A STATE SIGNIFICANT SITE.

Once finalised the Plan becomes a statutory document, like a site-specific Local Environmental Plan.

## Proposed land uses for West Byron

The planning of this land release area has required:

- » sensitivity to the importance of the land to the local community and the wider region,
- » review and consideration of numerous State and Local policies and planning guidelines, which apply to a wide range of issues,
- » review of the local information provided and feedback/concerns raised as part of the consultation process,
- » consideration of the current natural and built features on the land and consideration of surrounding land uses,
- » review of the findings and recommendations made from the environmental and technical assessments undertaken, and
- » an understanding of existing and future needs and aspirations of the community and other stakeholders.

As part of the initial phase of our planning process (Phase 2), we investigated a wide range of environmental, social economical areas to ensure that we had a strong factual basis for understanding what the urban release area is capable and suitable for. An Enquiry by Design (EbD) Workshop was held in Phase 3, to investigate a range of zoning and design options.

The work in Phase 3 has resulted in a proposed land use plan and prospective key design elements that are included in the preliminary DCP, described on the last page of this newsletter. The visual below identifies the zones and some elements proposed in the preliminary DCP.



A range of land use zones for urban use (residential and commercial) and environmental protection have been identified. These are listed below.

**Zone: E2 Environmental Conservation –**

Several hectares of land have been identified for revegetation along Belongil Creek (which is also part of Cape Byron Marine Park). This revegetation will provide additional habitat for threatened species and wildlife movement. It will connect with natural watercourses that flow from internal parts of the site into Belongil Creek.

Other areas of environmental significance include wetlands at the southern edges of the site, and threatened species habitat at the south (wallum froglet) and southeast (blossom bat). The ownership and management of these areas will be negotiated with Council and State authorities, but this will not significantly affect the zoning.

**Zone: E3 Environmental Management –**

Within the site, large mature native trees will be conserved as urban bushland in areas of open space. Many of the trees are in natural drainage areas which can be used as part of the urban stormwater drainage system. Some of the urban bushland will have narrow lanes or paths to connect the different urban areas.

**Zone: IN2 Light Industry –** This area is envisaged as being similar to recent developments in the Arts and Industry estate, west of Bayshore Drive. It would be an area without residents, due to the possibility of odour and machinery noise from the Sunnybrand Chickens site.

**Zone: SP3 Tourist –** The area at the southwest contains existing tourism and recreational activities, namely the “Planula” bed and breakfast and “Temple Byron.” One property next to Ewingsdale Road contains a small factory that produces chocolate-coated macadamia nuts from local produce. It is proposed that this activity be made a tourism attraction. If the confectionery activity ceases, the site would still be appropriate for tourist accommodation.

**Zone: B4 Mixed Use –** This is proposed as a mixed live/work area with on-site living, manufacturing and perhaps shopfront sales. There are already examples of this arrangement in the Arts and Industry Estate, and the approved but not yet built “Bayshore Village” development across from the Sunrise Beach shopping centre.

**Zone: B1 Neighbourhood Centre –** This area is more focussed towards being a residential/community focal area. This area will contain a neighbourhood shop, as well as home based businesses and professional home-based offices. Lots would be quite small, for attached terrace houses.

**Zone: RE1 Public Recreation –** This zone is for a multi-use active open space area, suitable for tennis courts and other sports facilities. It is centrally located and within easy walking distance for all West Byron residents. The detail of the facilities to go in this park will be worked out in a future master plan and open space plan, in consultation with Council and the community.

**Zone: R1 General Residential –** The residential areas of West Byron will contain a mixture of different types of housing including terrace houses, courtyard lots, duplexes, units and conventional houses. Larger lots would be appropriate at the southwest, near the Planula B&B and Temple Byron.

A future master plan will go into more detail about the type and density of development in different parts of the site. Higher densities should be focussed closer to the neighbourhood centre and park, and along the main internal bus route. For this current phase of the planning work (to help with estimating traffic and other impacts) the general residential areas of West Byron are assumed as having an average density of 18 dwellings per hectare. In comparison, existing areas like Sunrise Beach and Baywood Chase have lower residential densities of about 10 to 12 dwellings per hectare due to their relatively low number of small lots and units.

**Proposed Building height limit to be 9 metres**

It is proposed to stay with the current building height limit in Byron Shire. This is set by the Byron Local Environmental Plan at 9.0 metres to the highest point, or 4.5 metres to the topmost floor.

## Exempt and complying development

Rather than inventing a whole new set of exempt and complying development rules for West Byron, the planning controls will refer to an existing set of standards in a State Environmental Planning Policy that is already in use in many other parts of the State (Byron Shire has its own exempt development controls in DCP 16).

“Exempt development” classification allows for small incidental developments to be built without needing development approval – things like garden sheds and small satellite dishes.

“Complying development” classification allows houses to be approved and built without a Development Application if they comply with specified criteria like height, floor area, setbacks and landscaped areas. It is envisaged that the majority of houses in West Byron would be complying development under the Housing Code. Anyone wanting to build a house that goes outside the Code will need to lodge a Development Application.

## Preliminary DCP

The planning for West Byron has been guided by contemporary sustainability and urban design principles. The State Significant Site study will contain a lot of useful information, but not all of that information can be reflected in zones and written clauses.

The Preliminary DCP provides a place to “park” ideas so that they are available as a reference for future planning work. Some of the information in the Preliminary DCP is at a conceptual level, and will be superseded by more detailed work in the future. Some key features were explored in some detail as part of the Urban Design investigations. These are highlighted below. These will need to be explored further as part of master planning in Stage 2.

**Location of access roundabouts and an internal connector road.** The preferred urban design option developed in this Stage of planning proposes two major all turns intersections which directly access two small centres at the western and eastern ends of the site. These small centres mark important nodes

of community or employment focus. It is not expected that these nodes be characterised by high levels of retail shopping. A cycleway is also proposed along the south side of Ewingsdale Road, connecting the town track with the Ewingsdale track.

A loop road through the site could provide for a bus route through the proposed development and ensure the majority of residents are within 200m of a bus stop. This loop road could connect both centres, and there are opportunities for many other road and pedestrian connections. This would provide alternate routes through the site avoiding the concentration of traffic along any one route.

**An employment based mixed use centre** (see B1 on map) could be located towards the western end of the site on the major intersection with Bayshore Drive. This centre would ‘showcase’ local goods and services and service the adjoining light industry area. A main street feel to the major entry road will allow showrooms, cafes and live/work style accommodation to line the street creating a unique industry based activity node.

**A range of residential forms are recommended** for clustering around the centre to the east reinforcing this activity node and providing opportunities to live and work in the same neighbourhood. Different housing types – terrace houses, courtyard housing, small lots, etc. need to be explored further.

**Different ways of dealing with traffic noise.** Landscaped acoustic barriers would be appropriate between Ewingsdale Road and the residential development. Non-residential studios and other buildings in the western Mixed Use area could use building design to mitigate traffic noise. Mitigation of traffic noise will require sensitivity to visual impact.

**A Mixed Use Centre** (see B4 on map) could provide a focus for the eastern half of the site. This centre could be predominately residential in nature, containing a range of higher density accommodation types as well as some retail (neighbourhood shop), cafe/restaurant, business and community uses. This centre could provide a focal point for community interaction in this part of the site.

**There are a number of patches of native vegetation on the site.** Some areas such as the drainage corridor (Union Drain) could be retained and if re-profiled and revegetated, would provide enormous amenity for the site and a setting for higher density residential uses. Some of the smaller patches of vegetation are proposed to be retained in wide road reserves and used as part of the stormwater system, particularly on the eastern edge of the site.

Where vegetation is lost internally to the site, compensatory replanting would occur in selected areas to reinforce and consolidate existing habitat areas. Artificial wetlands along the southern fringe of the site would have the dual purpose of stormwater detention and habitat for the Wallum Froglet.

## Your feedback

This update outlines the key features of the Study to be provided to the Department of Planning. We are interested in your comments on whether the proposed zone types and their locations make the best use of this land resource. Your feedback may result in some refinement of the proposed zones at this stage. All feedback received will be passed on to the Department of Planning for their consideration as part of their assessment of the study.

Once the Department of Planning has assessed the Study, it will be exhibited. The exhibition will provide the opportunity for government agencies, community groups and the general public to make submissions. This feedback will then be considered as part of the Department of Planning’s internal approval processes and may change BBWLA’s proposed land use plan.

## Next Steps

The current SSS study, and the rezoning of the land, is just the first step of the planning process. After the land is rezoned, a detailed master plan and detailed Development Control Plan will be required. These will go into a lot more detail about the urban design and sustainability requirements for West Byron. The community and other stakeholders will be consulted again at the various stages.

More  
Information

Comments can be sent to  
West Byron Project PO Box 57, Earlwood 2206  
or email it to [localproject@optusnet.com.au](mailto:localproject@optusnet.com.au).

Please view the website for more detailed information – [www.westbyronproject.com.au](http://www.westbyronproject.com.au).  
If you would like further information please contact the project team:  
0407 240 430 (during business hours).